

10/089415

JCE d PCT/TO 26 MAR 2002

TRANSMITTAL LETTER			Case No. 742/226
Serial No. PCT/US00/02541	Filing Date February 1, 2000	Examiner	Group Art Unit
Inventor(s) George F. Charvat			
Title of Invention METHOD AND APPARATUS FOR REGISTERING A TORQUE-TRANSMITTING TOOL IN A FIXTURE AND FOR FORMING A DIAGONAL BORE IN THE TOOL			

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is Petition for Revival under 37 CFR 1.137(b) with Petition Fee, National Phase Filing with Basic National Fee, and Statement that the Entire Delay was Unintentional; Postcard Receipt.

- ☒ Small entity status is being claimed.
- ☐ A verified statement to establish small entity status under 37 CFR §§ 1.9 and 1.27 is enclosed.
- ☐ Petition for a _____ month extension of time.
- ☐ No additional fee is required.
- ☐ The fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra
Total		Minus		
Indep.		Minus		
First Presentation of Multiple Dep. Claim				

Small Entity	
Rate	Add'l Fee
x \$9 =	
x 42 =	
+ \$140 =	
Total add'l fee	\$

Other Than Small Entity	
Rate	Add'l Fee
x \$18 =	
x \$84 =	
+ \$280 =	
Total add'l fee	\$

- ☐ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amount of \$_____. A duplicate copy of this sheet is enclosed.
- ☒ A check in the amount of \$640.00 for Petition for Revival under 37 CFR 1.137(b), and a check in the amount of \$876.00 for filing under 35 USC §371 are enclosed.
- ☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
- ☒ I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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Attorney for Applicant

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Date of Deposit: March 26, 2002

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JC10R000 PCT/PTO 26 MAR 2002

Our Case No. 742/226

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
APPLICATION FOR UNITED STATES LETTERS PATENT

INVENTOR: George F. Charvat

TITLE: Method and Apparatus for Registering
a Torque-Transmitting Tool in a
Fixture and for Forming a Diagonal
Bore in the Tool

ATTORNEY: Joseph F. Hetz
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Date of Mailing: May 7, 2000

10/089415
JC10 Rec T/PTO 26 MAR 2002

Our Case No. 742/188

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Joda Enterprises, Inc. et al.)
Serial No. PCT/US00/02541)
Filing Date: February 1, 2000)
For METHOD AND APPARATUS FOR)
REGISTERING A TORQUE-)
TRANSMITTING TOOL IN A FIXTURE AND)
FOR FORMING A DIAGONAL BORE IN)
THE TOOL)

RESPONSE TO WRITTEN OPINION OF MARCH 5, 2001

Commissioner for Patents
Box PCT
Washington, D.C. 20231
Honorable Commissioner:

In response to the Written Opinion in this application, Applicant has enclosed new pages 12-15 in substitution for originally filed claims 12-15. The changes between the new pages and the old pages are summarized as follows:

1. Claim 18 has been amended to positively recite the tool comprising a longitudinal axis and first and second surfaces on different sides of the longitudinal axis within the body of the claim. This amendment is supported for example by Figures 3 and 4, which show such an arrangement.
2. The preambles of Claims 19-30 have been amended to refer the system rather than the method or the invention.
3. A typographical error has been corrected on Claim 37, in the second line of paragraph (c) replacing "form" with "from".
4. Applicant submits that the amended claims are novel, and that they define an inventive step. With respect to claims 1 and 2, Applicant wishes to point out that these claims require referencing at least one machine surface of the tool drive with respect to at least one reference surface on the shoulder. This shoulder is

defined as intermediate the shank portion and the drive portion of a torque-transmitting tool. Applicant has reviewed Figure 1 of Carpinella, and there does not appear to be any mechanism for referencing the shoulder of the fastener 38 as claimed. Note that there is no mechanical contact with the shoulder between the head of the fastener 38 and the narrowed shank. Given that there is no contact, it cannot be said that a machine surface is referenced with respect to a reference surface on the shoulder.

Furthermore, Applicant submits that Claim 2 is related Claim 16, and that many of the reasons that support the inventive step of Claim 16 apply also to Claim 2.

With respect Claims 18-22, these claims have been amended to positively recite the tool and the first and second surfaces. Koeppen does not disclose such a tool, and thus does not anticipate these claims. As to Claims 6-10, 13, 23, 31, 32, 34, 35, and 37-39, Applicant submits that these claims define an inventive step over Koeppen. It is particularly difficult to drill a small diameter opening into an obliquely oriented surface without breaking the drill. Koeppen has not addressed this problem, because the smaller diameter openings shown in Figure 3 are all oriented perpendicular to the inner surface of the mold. Applicant has recognized this problem and solved it as described in this application and has defined in these claims.

Respectfully submitted,



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